

## NOTICE OF EXEMPTION

**TO: Santa Barbara County Clerk of the Board of Supervisors**

**FROM: Department of Public Works/Water Resources Division**  
(Lead Department/Division)

Based on a preliminary review of the project the following activity is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970 (Pub. Res. Code Section 21000 et seq.), as defined in the State CEQA Guidelines and County Revised CEQA Guidelines.

**APN(s)** N/A      **Project No.** N/A

**LOCATION:** Entire County

**PROJECT TITLE:** Ordinance Amending Article IV of Chapter 29 Relating to Stormwater Management and Discharge Control

**PROJECT DESCRIPTION:** The proposed project involves amending an ordinance that regulates non-storm water discharges to the storm drainage system in order to ensure adequate legal authority to implement and enforce the new NPDES stormwater requirements. The action amends Article IV of Chapter 29 of the Santa Barbara County Code by updating the ordinance.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Public Works Water Resources Division

**Exempt Status:** (Check one)

- Ministerial
- Statutory Exemption
- X** Categorical Exemption {15308}
- Emergency Project
- Declared Emergency

**Cite specific CEQA and/or CEQA Guideline Section:** 15308: Actions by Regulatory Agencies for the Protection of the Environment.

**Reasons to support exemption findings:** CEQA Guidelines Section 15308 (Class 8) consists of actions taken by regulatory agencies as authorized by state and local ordinance to assure the maintenance, restoration, enhancement or protection of the environment where the regulatory process involves procedures for protection of the environment. The exemption does not include construction activities and relaxation of standards allowing environmental degradation.

On February 5, 2013, the State of California through the State Water Resources Control Board, adopted Order No. 2013-0001 regulating storm water discharges from small municipal separate storm sewer systems (MS4s). This order established certain activities required by local agencies

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intended to control the introduction of pollutants into the storm drain system. On July 12, 2013 the Central Coast Regional Water Quality Control Board adopted Resolution R3-2013-0032, Approving Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast. The proposed updates to the Stormwater Management and Discharge Control Ordinance are consistent with these actions and serve to implement the new requirements.

The proposed action is also consistent with CEQA Guidelines section 15308, as it is intended to protect the environment, would not involve any construction activities and would not relax environmental standards. Therefore, the project is categorically exempt from CEQA pursuant to this section of the State CEQA Guidelines.

Further, there is no substantial evidence that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts which threaten the environment. The exceptions to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

CEQA Guidelines Section 15308 is a Class 8 exemption; therefore, this exception does not apply.

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.**

The project is expected to improve water quality by reducing or preventing the discharge of unauthorized stormwater to the storm drain system and the environment. No significant cumulative impacts are expected; therefore, this exception does not apply.

- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

The proposed action follows the criteria established by a state regulatory body and is intended to protect the environment by reducing or preventing the unauthorized discharge of stormwater. Therefore, this exception does not apply.

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- (d) **Scenic Highways.** A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

The project would not impact scenic resources and does not involve scenic highways. Therefore, this exception does not apply

- (e) **Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project does not involve any hazardous wastes sites. Therefore, this exception does not apply.

- (f) **Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The proposed ordinance is not expected to result in any structural or physical changes that would impact historical qualities or change the historical significance of the property. Therefore, this exception does not apply.

Lead Agency Contact Person: Tom Fayram, Deputy Director Public Works Water Resources Division, Phone: (805) 568-3436

Department/Division Representative: Joy Hufschmid, Project Clean Water Manager

Acceptance Date: \_\_\_\_\_

Joy Hufschmid *Joy Hufschmid Clean Water Manager*  
 Joy Hufschmid Department Representative

October 25, 2013  
Date

**NOTE:** A copy of this document must be posted with the County's Planning & Development Department at least 6 days prior to consideration of the activity by the decision-makers to comply with County CEQA guidelines and a copy must be filed with the County Clerk of the Board after project approval to begin a 35 day statute of limitations on legal challenges.

Distribution: Date filed with Planning & Development \_\_\_\_\_

Distribution: Date Filed by County Clerk: \_\_\_\_\_

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 DEC 18 2013  
 S.B. COUNTY  
 PLANNING & DEVELOPMENT